

CARMEL/CLAY TECHNICAL ADVISORY COMMITTEE
MINUTES
April 17, 2002

Laurence Lillig – DOCS
Brian Hanson – DOCS
Gary Hoyt – Carmel Fire Dept.
Chuck Shupperd – Vectren Energy
Phil Bennett – Carmel Parks
Bill Akers – Communications
Mike McBride – Carmel Engineer.
Jim Blanchard – Carmel Bldg. Dept.

Jon Dobosiewicz – Carmel DOCS
Tom Skolak – Carmel Postmaster
Steve Broermann – Ham.Co.Highway
Sharon Prater – Panhandle Eastern
Dean Groves – Cinergy/PSI
Dick Hill – Carmel Engineering
John South – Ham. Co. Soil & Water
Steve Cash – Ham. Co. Surveyor's

West Carmel Center, Block B (part) Carmel Center West (Development Plan)

The site is located on the southeast corner of West 106th Street and Commerce Drive. The site is zoned B-5/Business and is subject to requirements of the US 421 Overlay. Filed by Paul Reis of The Reis Law Firm for West 106th Street Properties, LLC.

Paul Reis presented the case and introduced Frank Swiss, The Swiss Group Commercial Properties, Mila Slepaya, Mid-States Engineering, and Mark Monroe, The Reis Law Firm. Two office buildings will be constructed on a tract that is 2.243 acres in size. The US 421 Overlay Zone requires a minimum tract size of 3 acres. The consent of the adjacent landowner to the east has been obtained. Mr. Reis has prepared a development plan that equals four acres in size. Approval is sought only on the initial construction on the site owned by the Swiss Group. Plans have been submitted for a one-story building with 9,852 square feet. Tenants are anticipated as general and medical office space users. Mr. Reis is in the process of addressing concerns raised in TAC response letters. A separate meeting is planned with Jon Dobosiewicz in regard to the Department Report. Right of way issues should be resolved in the next week of two.

Steve Broermann spoke with Paul Reis and hopes to resolve right of way issues this week. He suggested Mr. Reis contact the county attorney.

Chuck Shupperd inquired if gas heat will be used and gave the petitioner a contact sheet and business card. Mr. Swiss is unsure. Mr. Shupperd suggested service to each building with multi meter sets.

Sharon Prater has been in contact with Mark Monroe and has flagged pipelines. She is concerned about the entrance culvert at the south end of the property. Ms. Prater asked the petitioner to consider moving the Phase 3 future building in the conceptual plan farther from the pipeline.

Jim Blanchard had no comments.

Gary Hoyt sent a letter to Mr. Reis. As of now, the buildings will not be sprinkled. There is a fire hydrant on Commerce Drive. Mr. Hoyt would like a hydrant in the parking lot area. The water line comes straight down from the Phase 2 building to Phase 1. A fire hydrant might be installed near the little island between parking spaces. Gary Hoyt suggested a meeting. The buildings will all be single story with no basements. A Knox box with a master lock system is requested for fire department access.

John South stated his comments deal with the erosion control plan. He understands this project involves basic demolition on most of the site. The petitioner needs temporary seeding during Phase 1. Mr. South suggested inlet protection on the two existing stubs.

Tom Skolak will work with the petitioner to establish delivery.

Phil Bennett had no comments.

Laurence Lillig reviewed Jon Dobosiewicz's letter. He suggested an appointment to discuss the letter. Mr. Lillig will hold his comments until that time. A secondary plat has not been filed. Mr. Lillig read Jay Alley's, of Clay Township Regional Waste District, comment on the case: "The plans received by the District only showed a sewer connection for one building; each building needs to have its own individual connection to the District's sewer so the plans will need to be revised to show how the whole site will be served."

West Carmel Center, Block D (Replat)

The site is located at the northeast corner of US 421 (Michigan Road) and Retail Parkway. The site is zoned B-3/Business/US 421 Overlay.

Filed by Jamie Poczekay of American Consulting, Inc., for 421 Realty, Inc.

Jamie Poczekay explained the project and introduced Jack Lashenik, also of American Consulting. There are no design plans for this replat because this is not a new development. They are just establishing lot lines for the potential outlots along Michigan Road. David Warshauer, Barnes & Thornburg, was also in attendance.

Steve Broermann wrote a letter. He needs the instrument numbers for the purchased proposed right of way. The land has been bought as limited access. There will only be the access points that now exist.

Chuck Shupperd stated there is gas on the other side of Michigan Road. As each business comes in, they can hook up to gas service.

Sharon Prater stated this project does not affect them. Their pipeline is on the north end of the lot.

Jim Blanchard, Gary Hoyt, Bill Akers, John South, Tom Skolak, and Phil Bennett had no comments.

Jon Dobosiewicz said it appears the Target site lot line and outlot run along the pavement edge. The required yard width is five feet. The petitioner may write a shared parking agreement to allow the shared lot line to fall within the yard width, or they may file for a variance to eliminate the side yard requirement. The lot line would move west to obtain the five-foot distance. David Warshauer stated there is an easement or shared parking agreement in place with Target. The Target sign on the corner of one of the out lots will require a variance because it will become an off-premise sign. It was not originally on a subdivided outlot. Laurence Lillig believes a developmental standards variance for height was granted previously for this sign.

Steve Cash sent a letter. He has no objections to the proposed change in plat.

Laurence Lillig repeated that Ms. Poczekay should file a sign variance and provide a copy of the shared parking agreement.

Sedgwick Subdivision (Primary Plat and Subdivision Waiver)

The applicant seeks approval to plat a 27 lot residential subdivision on 33.161 acres. The site is located on the north side of West 131st Street, ½ mile west of Towne Road. The site is zoned S-1/Residence – Very Low Density.

Filed by David Warshauer for GWZ Development-1, LLC.

Attorney David Warshauer presented the case and introduced Lance Farrell of Banning Engineering. Also in attendance were Mark Zukerman, MZA, Inc. and Glenda Garrison, GWZ-1 Developers, LLC. A plat was displayed on a mounted board. The primary access to the subdivision is the collector road named Tuscany Boulevard that will be running through Shelborne Park and the Lakes of Hayden Run. There will not be any access on 131st Street. The petitioner intends to plan shared drainage with Shelborne Park to create one large drainage facility for both subdivisions. Discussions are ongoing with Roger Kessler. The subdivision is designed to leave the wooded area untouched. Two of the lots do include some of the trees but have sufficient buildable area. The plans include a common area and intermediate drainage.

Steve Broermann understands the existing house will remain. A big issue is the widening across the Goold property. Some right of way will be required. Mr. Broermann wants a continuous stretch. Mr. Warshauer stated the owner is not opposed to this but is not inclined to grant any right of way. Mr. Goold may be interested in developing the parcel in the future. They met on Sunday. Mr. Broermann needs a copy of their offer and his rejection. Steve Broermann really wants this accomplished much sooner than in five years. Centex, Roger Kessler, and some of the other developers have made commitments for an impact fee in lieu of widening. David Warshauer is prepared to do the same. Steve Broermann stated it is important to keep the width consistent.

Jon Dobosiewicz inquired if the median is up to the property line. David Warshauer responded that it is just as shown to the intersection.

Chuck Shupperd stated Vectren Energy is running gas to Shelborne Park and the Lakes of Hayden Run. He needs a start date and will inform the design department of the project.

Sharon Prater commented Panhandle Eastern Pipeline has no facilities on the parcel.

Jim Blanchard said all homes constructed along the lake should be two feet above the 100-year flood level. There will be several builders for the custom homes.

Gary Hoyt sent a letter to Lance Farrell. There will not be any amenity building for this project. The occupant of the existing house will be away during construction. Shelborne Park roads will be used for its access. That subdivision is a couple of months ahead of Sedgwick. It will not be a gated community.

Steve Cash also sent a letter to Lance Farrell. This is typical for a watershed. There is an allowable discharge rate of 0.24 cfs per acre that needs to be reflected in both sets of calculations. The off site comes in from the north and should be in the report. The subdivision will be developed as one phase. Storm sewers will be part of the county regulated drain. Standard procedural items are needed. Jim Rinehart, Stoeppelwerth, is working on his drainage report. Lance Farrell will combine the model with his report.

Bill Akers stated the subdivision name is okay but the streets names must be changed. The name Sedgwick cannot be used three times for roads. He asked why Lot 27 is on the other side of the development. Mr. Warshauer responded the owner acquired the property to the south and wishes to make some economic use of it. They are constrained by the collector road and placement of the other subdivision. The Sedgwick Subdivision sign should be located at the entrance between lots 1 and 27 for the sake of public safety. Lincolnshire Boulevard will be used instead of Tuscany Boulevard.

John South advises against basements because the soil type drains poorly. Utilization of the wooded area to the north is excellent and the pond is also good. He suggests a maintenance agreement for the pond shared by the two subdivisions. In some of the rear yards, the swale details or inlets are lacking. The collector points are not addressed well. This can be done better on the construction plans. Sub service drainage should be accessible from each lot because of the soil condition.

Tom Sholak will work with the developer on their postal service.

Jon Dobosiewicz would like to meet with Mr. Goold. The City wants to pay a fair price for the right of way. If Mr. Goold would subdivide his land in the future, they may have an incentive today. It might not be a 50-foot right of way. The owner should have a clear picture of future. The property to the west is under contract to be developed. This is the only property that prevents that from happening. Connection and minimum

improvement make good sense. David Warshauer said the owner understands. Sidewalks must be five feet wide and pathways are ten feet. The pathways between subdivisions should connect. Mr. Warshauer will speak with Mr. Kessler. The docket numbers and deadlines for the project are known.

Key West Subdivision (renamed Aberdeen Bend) Primary Plat

The applicant seeks approval to plat a 50-lot residential subdivision on 36.88 acres. The site is located on the north side of West 131st Street, ½ mile west of Towne Road. The site is zoned S-1/Residence – Very Low Density.

Filed by Jonathan Moen of Mid States Engineering for The Jones Company.

Chris White represented the applicant and stated the subdivision was renamed to Aberdeen Bend. The site is on the south side of 131st Street between Shelborne and Towne Roads west of Hayden Run Subdivision. The 37-acre parcel for 50 lots will be built in two separate phases under the ROSO Ordinance. There is one street cut stub connection to the east. There is one entrance on 131st Street and a stub street to the south. There are existing large lots along the west property line and no opportunity for extending the streets to the east. Mid-States will do the engineering work.

Steve Broermann will review the plans for their entrance. An accel/decel lane will be required on their property. Chris White responded the entrance would be moved slightly to the east. Payment for the review fee is needed. Mr. Broermann referred to his letter to Jonathan Moen. All else is standard.

Chuck Shupperd has gas at the other developments in the area. He gave Mr. White a business card for a Vectren contact person. A design layout will be done. Conduit crossings, time, and date schedule will be noted.

Sharon Prater has no facilities involved in this project.

Jim Blanchard is concerned about lots around the lake. The finish elevation must be two feet above the 100-year elevation. Builders will need to provide this documentation when they submit plans. The builder will identify lots by painting numbers on the curbs.

Gary Hoyt sent a letter to Jonathan Moen. A fire hydrant is needed at the end Petronia Court. Mr. Moen added a fire hydrant at the intersection for better coverage. Gary Hoyt thinks the distance is a little short. The street on the east property boundary will be constructed this spring. Hayden Run is next to this subdivision. Section 2 is between lots 26 and 27 and indicated by a heavier line on the plat. Until that street exists, the Fire Department wants a temporary, stone turn around at the end of Phase 1. Mr. Hoyt will provide the weight of the Fire Department equipment. No amenities, other than a gazebo, are planned. There will not be a pool.

Steve Cash stated the storm sewers would be petitioned to become a regulated drain. The project is located within the watershed of the J W Brindle Drain. The allowable

discharge rate is 0.24 cfs per acre. This information must be in the drainage report. Comment 4 deals with offsite drainage from the west. The petitioner must extend storm structures to the west property line to allow that area to tie into the sub service drain. Lot 44 is the lowest lot. Fill will help the surface flow. The sump pump for that lot will run a great amount of water if it is not intercepted up stream. Hamilton County Surveyor's Office standard details can be downloaded off the web site.

Bill Akers stated the street names are too similar. The suggested names will be sent to the County for approval. This subdivision connects to the east with Hayden Run. Tantara Bend is the connecting street name used by that subdivision. Mr. Akers suggests not using the street name Birkenstock Street until lot 14. The County will review the new name "Aberdeen Bend". The subdivision sign should split off the two subdivisions. It will be easier to for the Fire and Police Departments to have the two subdivisions clearly marked.

John South stated the soil conditions are flat, black, and poorly drained. He does not recommend basements. Subsurface drains would be necessary for each lot. More detail is needed on the construction plans showing how the petitioner will use and restore common areas. It might be with grass, forest, or prairie.

Tom Skolak had no comment.

Dean Gross will need construction plans updated. The petitioner should call their 800 number request service. Mr. Gross understands the entrance will shift 50 feet to accommodate accel lane. Mr. Gross also needs street names.

Jon Dobosiewicz understands all four poles on 131st Street will have to be pulled back at the expense of the developer. A commitment is needed for the roadway improvements. The sidewalks must be five feet wide and pathways in the right of way must be ten feet wide. A pathway is not identified on the south side of 131st Street. A ten-foot asphalt path is required. At the intersection of Southern Street, the pathway should be pushed over to align. Mr. Dobosiewicz requested specs on the asphalt where it intersects with the sidewalks and at the approaches to the street. He wants a depressed curb and approach. This will look cleaner and holds up better. The ramps must be concrete. On their primary plat the lot addresses are identified. The Department does not suggest this. Problems occur on corner lots. He recommended excluding the addresses. Scott Brewer should receive a set of plans. On the Schedule of Plantings, the buffer must show the required number of plants per City guidelines. If the plantings are interspersed within the sit, they may count that against the required number of plantings. Another issue is the 25-front building setback. Section 26.2.7 of the Ordinance requires an alternate set back when the setback is reduced from the standard 40 feet. The Department is proposing some changes to clarify intent. That proposal will be in front of the Plan Commission in April and sent to the City Council.

New Middle School Facility, 126th Street & Shelborne Road (Development Plan)

The applicant seeks approval to construct a new middle school facility. The site is located at the southeast corner of West 126th Street and Shelborne Road. The site is zoned S-1/Residence – Estate.

Filed by Jeff Bolinger of Fanning/Howey Associates for Carmel/Clay Schools.

Bill Payne, Fanning/Howey Associates, presented the project and introduced Ron Farrand, Carmel Clay Schools, Jeff Bolinger, Fanning/Howey Associates, and Mark Obergfill, TLF. Mr. Payne distributed reduced drawings of the project. The parcel is located at 126th and Shelborne Road. The 248,000 square foot, one-story middle school will be constructed on the northwest corner of the site. The project is oriented to save as many of the large, mature trees as possible. There will be an internal access drive, which accesses from 126th Street and Shelborne Road. It will separate the middle school from other uses on site. The primary purpose of the submission is for the middle school project, its activity fields, relocation of some of the high school soccer fields, and creation of the retention pond. The earthwork will provide an opportunity to balance the fill on site. The new elementary school is projected to be built immediately to the south of the middle school. That project is not included with this submission. The Brindle Ditch runs through the site and exits midpoint to the south. The entire site is about 159 acres. No work east side of Brindle ditch is included in the project with the exception of the tie in to the lift station. There will be no work in the wetlands area beyond introducing the storm outfall. Construction will begin in early summer with occupancy in late summer 2004. It is important to move middle school students in order to open space for other improvements at those facilities.

Steve Broermann believes additional road improvements will be needed with the passing blisters. Discussions have begun with the neighbors across the street about acquiring right of way. The County still wants three lanes in addition to left turn lanes. Mr. Broermann will send out more specific comments when the petitioner is concrete about the road plans.

Chuck Shupperd stated the nearest facility is on 126th Street and Towne Road or 126th Street and Shelborne Road. He is not sure of the route yet. A preliminary utility meeting was suggested. Mr. Shupperd believes an easement will be required to get to the location. Service will be at the southeast side of the building. Water and sewer will come up Shelborne to the site through the parking area. The County plans to bring a main along 126th Street from the new subdivision north of that street to their property. The water line will loop back out along the drive.

Sharon Prater had no comments.

Jim Blanchard stated a pre-submittal meeting will be needed prior to the issuance of a building permit. There is a checklist of commercial permitting procedures. Specific details on firewalls and fire stopping will be needed. Mr. Payne stated these will be in the construction plans.

Gary Hoyt did not write letter. Mr. Payne does not know the location of the hookup. The Fire Department prefers it be free standing in the yard because it is easier to access. This can be discussed later. A Knox box on the building is requested. The sprinkled building needs exterior doors to the riser rooms. A remote enunciator panel for the fire alarm system is needed at the entrance. Gary Hoyt said he would write a letter.

Steve Cash stated an outlet permit is required for storm water discharge into the Brindle Drain. No drain crossing is planned. The main will probably be located on the east side of the Brindle Ditch. They will, however, have a sanitary crossing of the ditch. The 100-year storm elevation is needed. The final allowable discharge rate for the Brindle watershed is 0.24 cfs per acre. This will not affect the final outcome of their calcs because their numbers are within the acceptable range. It will not be a problem. A change will be made to the drainage report. Mr. Cash wants a safety ledge in the detention area. Details can be found on the County web site. Details are needed for the location where the discharge pipe outlets into the ditch. Riprap is needed. Subsurface drains are proposed in the soccer fields. They will tie into the drainage structures or into the creek. If they discharge into the creek, the petitioner should install a cmp over the plastic pipe at the outlet. This keeps animals out and protects the pipe. Willows and grass may be causing some problems along the Brindle Drain. The easements must be labeled on the regulated drains.

Bill Akers had no comments. The school should contact him for an address for this site. He would prefer the address would be oriented from the front of building--126th Street. There should be a sign in front of the building.

John South wrote a letter. Because of the amount of dirt movement, the rolling nature of site, and the proximity to the Brindle Drain, more detail is needed in the erosion control plan. The silt fence is not adequate for this size of watershed. The sediment traps and basins need formal design and sufficient detail in the plan for the contractor. Mr. South is concerned with the mass of earth grading early in the project. Any existing wells should be properly capped. Mr. Payne stated two wells would be kept to service the soccer fields. The well for the house needs to be appropriately capped. There is an existing, private 10-inch drain tile that needs to be located and the depth ascertained. The storm sewer should connect to it. Mr. South suggested a sequencing meeting. This has been a problem before.

Tom Skolak had no comment.

Dean Gross will check on the removal of the slab. The plans he has are not clear. He suggested a separate meeting.

Jon Dobosiewicz asked if this project would be done in phases. Mr. Bolinger stated it would be constructed all at the same time. It appears there is a different spec on the drive south of the field. That piece may or may not be installed depending on cost. It is the only piece needing an alternate bid. Jon Dobosiewicz recommends including it with the BZA approval. Mr. Payne said this is a budgeting issue. The elementary and middle

schools do not conflict in traffic flow. Mr. Dobosiewicz recommends making that clear to the Board. Jeff Bolinger stated access would be for the school corporation not the general public. A bus terminal station may be added later. There is space for it. Improvements in the right of way need to be determined. A spec that clearly indicates their plans needs to be provided for the Board. The petitioner plans to terminate their ten-foot path 30 or 40 feet west of the ditch. The school owns the property to the east. The plans show a temporary construction facility at the northeast corner of the property where the ditch crosses 126th Street. That is also part of the lift station. Laurence Lillig asked how the sidewalk functions with that and the right of way as well. It is a proposed facility. Mr. Lillig stated it looks as if it will encroach into the right of way of 126th Street. The sidewalk needs to negotiate the wastewater lift station. It appears it cannot go straight across, but must dip to the south. Eventually it must connect. Steve Broermann stated the County Highway Department would not allow a lift station in the right of way. Mr. Lillig suggested a separate meeting with Jay Alley.

Jon Dobosiewicz asked for clarification of access to the path across the property. He understands there is some cost to go over the ditch. Jeff Bolinger believes there is concern about crossing the Brindle ditch. The Surveyor's office will require a crossing permit, plans of the structure, and with no obstruction in the flow line. It must be able to span from bank to bank. Laurence Lillig asked if it would be more cost effective or a better plan to extend the pipe farther south and fill over it so the sidewalk just continues and eliminate the need for a bridge. Steve Cash agreed it is an alternative. John South said it is a six or seven foot culvert. Laurence Lillig suggested a separate meeting. Jeff Bolinger inquired if they were being asked to extend the pathway and bridge over the Brindle Drain. Jon Dobosiewicz stated the Ordinance requires it. The petitioner asked if it could be done when there is something with which to connect. Jon Dobosiewicz suggested doing the design now and committing to later improvement. Mr. Lillig stated the need is not that far out. This is a bond issue project. Its amount is already established. All of these projects are coming out of one big bond issue. Laurence Lillig stated this must be addressed and resolved. Clay Regional should be included in discussions. The petitioner is speaking with property owners regarding the right of way and improvements. Mr. Broermann stated there is a greater requirement than three additional feet of pavement. The BZA should have all of this information. Mr. Payne expressed a desire to stay on the fast track. Laurence Lillig stated the sign plan on the overall site only indicates a main ground sign. Jeff Bolinger indicated the two other locations. Their notes refer to sheets that are not always correct. The other sign locations must be identified. The locations were pointed out. The building elevations on A3.1 show a wall identification sign on the north elevation. Detail is needed. Jeff Bolinger stated this would be a masonry sign that includes changeable copy. The street address should be on the sign. One identification sign is allowed. The plans indicate one wall sign and one ground sign. Details are needed. The net area allowed is 20 square feet. Their sign requires a variance. The Ordinance allows 16 square feet of changeable copy. Elevations of sheet A3.1 indicate a building height of 45.4 inches. A height variance is needed. More detail is required in the lighting plan. The plan indicates a two-ring halo and another halo shows a 0.25-foot candle limit. Mr. Lillig needs the lighting intensity at the property lines at least at the poles closest to the curb cuts. On 126th Street, the

intensity is needed at the right of way. Regarding the sidewalks on G1.1, Mr. Lillig questioned how maintenance of the paths, as they dip out of the right of way, is proposed to be done. Mr. Farrand does not know about the maintenance. If the City or County has responsibility, then an agreement is needed. Ramp details are required. Details are missing where the paths meet the curb cuts. A concrete ramp is required. Hayden Run provides an example. Steve Broermann stated the ramps should be concrete. G4.1 details are not seen for the ramp. Jeff Bolinger indicated the ramps on the sheet. Laurence Lillig said on sheet G1.1, note 5 refers to the asphalt walking paths. The reference is wrong. This has been corrected. Mr. Lillig requested a corrected set. Path width must be noted on the plans. It must be ten feet wide. There are areas of sidewalk that need to be added. The connection out to the intersection of 126th Street and Shelborne Road is needed to provide the ability to cross and meet the path. North of the main entrance, there is concrete that goes nowhere. Mr. Bolinger stated this is part of the student drop off. It provides a place for children to get out of automobiles. There is no connection east to the tennis court. An alternative is to come over to the curb cut to install the sidewalk. At the curb cut on to Shelborne Road, the sidewalk goes to the baseball field and then there is 15-foot gap to the asphalt path. Mr. Lillig suggested making the connection. Jeff Bolinger stated this might be a problem as the grade tapers downward. A parking count was not found. Mr. Bolinger will provide one. The parking requirement calls for two spaces per classroom and one per employee. Scott Brewer will provide landscape comments. Jon Dobosiewicz suggested some utility and parking along the access drive that dips south and serves the field. Mr. Payne believes there are no large crowds there. Jon Dobosiewicz stated the real issue is safety. The Ordinance allows ticketing of illegal parking. Laurence Lillig asked the petitioner to consider additional parking there or a yellow curb in the event it is built. An island separates auto from bus pickup. The gate makes that separation. There will be two-way lanes.

Gary Hoyt asked if the School Corporation would label doors. Mr. Farrand believes that is not unlikely. Mr. Hoyt stated it helps Fire Departments greatly.

Saddle Creek, Sections 10 and 11 (Secondary plat & construction plans)

(Section 11 was formerly Maebeck Commons Primary, Section 1)

The site is located at the northeast corner of Towne Road and west 141st Street. The site is zoned S-1/Resident – Very Low Density.

Bill Bryant of Stoeppelwerth and Associates introduced Tim Walter, Platinum Properties, LLC, invited questions about Sections 10 and 11.

Steve Broermann has not completed his review. He noted that Street B does not go all the way to the property line. That is correct. It was added by the City of Carmel. The entrance was to the west and it did not stub to the north. Carmel brought to their attention that on the Thoroughfare Plan there is a connector between 136th and 146th Streets. There is a large, open ditch to transfer water. The petitioner stated he was previously told not to worry about taking it to the property line. It would be the responsibility of the next person to develop the property. Jon Dobosiewicz did not recall

that conversation. Tim Walter said he remembered it. Otherwise, a bridge would be needed. It could not be traversed just with pipes. Jon Dobosiewicz stated there is adequate right of way to accommodate a bridge. Tim Walter added this at Carmel's request. They wanted to start construction last year. Their previous engineer made a mistake on drainage. The developer needed to change the plat and reconfigure to make the drainage work. More retention is needed than before. Mr. Walter said the City asked them to address the thoroughfare option at the same time. Tim Walter believes Jon Dobosiewicz said it would be okay not to take it to the property line. Jon Dobosiewicz is comfortable with proceeding in this way but the Plan Commission did not address this at the time of approval. County approval is needed to do it this way. Steve Broermann questioned requiring the owner of the property to the north to build a bridge. Jon Dobosiewicz wants the ability to access. County engineers want a commitment in writing that a bridge will be constructed by whoever develops that property. The drainage will be changed with this development. Development to the north will cause less water drainage on their property. Possibly, a bridge might not be needed. The corner at 146th Street and Towne Road will be substantially different. Twin 54 bridges would cost \$60-70,000 for 172 feet. A Conspan bridge would cost \$100,000 to 150,000. A box culvert would cost \$70,000. Jon Dobosiewicz wants the ability to make that happen in the future. The right of way could be identified and the street terminated at the "T". Steve Broermann said there are upstream issues. The drainage report is being written. It will show the three 36" pipes under 141st Street. Mr. Bryant inquired if they could extend the pipes to the north and, relocate the swale. They would have to swing out into common area, into the ditch, and then cross with a wooden footbridge. By extending the 36-inch pipes another 15 to 20 feet to the north they could get the path closer to the road. There is a 35-foot building line at the back of the lots. A 35-foot drainage easement is possible. They must also fit in a storm sewer, ditch, and path. Mr. Broermann is concerned about resurfacing 146th Street because of the cuts. Tim Walter wants to just recut and resurface the street. That road was resurfaced in 1999. There are two 24" pipes emptying into the 12" X 18" structure. It is also a legal drain. The petitioner plans to relocate the existing tile. The two proposed pipes are not undersized. Mr. Broermann will write comments.

Chuck Shupperd will extend gas facilities. The start date is spring or summer.

Sharon Prather had no comment.

Jim Blanchard had no comment.

Gary Hoyt requested a temporary turn around. Stone construction is acceptable but a hammerhead configuration is not. He will send a spec sheet on turn radius.

Steve Cash wrote a letter. A public hearing is needed. Hayden Run will also go to a public hear. Steve Cash stated the current plan shows the problem being alleviated without topping the road, which has an impact on upstream areas. The public needs to be notified. Mr. Cash has not finished review on the rest of the subdivision. If the developer changes things down stream, such as the culvert size, this may be a moot issue.

Bill Akers needs a set of plans. Street names are needed for A thru E. Mustang Chase should cut off where street 3E intersects. It changes direction. This would be a good place to start another street name. It would make addressing easier.

John South wrote a letter. He is concerned with how they will address the major drainage ways. Mr. South encouraged early construction and seeding. This will cut down on off-site water going through the property. Expansion of lake 4 specifies a land bridge between the bodies of water until later. Mr. South does not want the petitioner to start digging at the end of lake 4. It can be dammed or pumped. Section DD is not on the plans for the ditch that parallels 141st Street. It proposes to go through the emergency spill way. Mr. South questioned whether that swale will have sufficient capacity.

Phil Bennett had no comments. Tim Walter stated Maebeck Commons plan committed to a walkway. Platinum Properties will keep it.

Dean Groves wants an updated copy of the plan. New poles are being installed on 141st Street and Towne Road on the south and west sides. They are trying to stay out of the future right of way.

Jon Dobosiewicz stated a 70-foot right of way is needed from north to south. The common area should be reduced. The roadway on the north side could be eliminated. A 36-foot wide pavement section should be installed between the first street and 141st Street. This will make it make it similar to the cross section of other subdivisions. The developer should add non-access easements and take 10 feet off the common area. Monumentation comments will be included in Jon Dobosiewicz's letter. Sheet 1 of the Secondary Plat shows a 50-foot width at the right of way line. These need to be widened. Curbs need to be identified. The 100-year elevations should be shown on the plat. There is no minimum depth requirement for the lots.

Coxhall Park and Gardens, Maintenance Building (Development Plan)

The site is located on the east side of Towne Road north of West 116th Street. Filed by Robert W. Tyler of Paul I. Cripe, Inc. for the Hamilton County Park & Recreation Department.

Robert Tyler has been retained by the County Parks Department for the structural and site work on this project. It is on the east side of Towne Road and north of 116th Street. This project will be done prior to the utility plan. Comments reflect that time line in regard to erosion control and drainage as they affect the whole site. Mr. Tyler proposes to come across from Scarborough Lane. Water has been kept from running out to the highway. The site drains to the south. There is a detention pond at the southern portion of the property. The timing of this project closely merges with the utility plan for the whole park site. There may be an integrated approach. Mr. Tyler has spoken with the power company and located the tile under Towne Road. It is sufficient to take the water coming off of the detention pond. The Parks Department wants a maintenance building and one

eastern location green house to be built this year. The center and west green house will be constructed later. Attempts have been made to create a buffer on the north side. The Highway Department requested a 100-foot accel lane to the north and a 150-foot decel lane to the south. The utilities are being projected from across the road. The sanitary sewer will come from a directional bore underneath Towne Road on the west side. It travels to the east and angles up to west side of the building. They made provisions for semi-tractor trailers in terms of proper radius for turns. There is a dock for unloading. At the southeast corner, there appears to be six to eight parking stalls. The area will actually be where containers for greenhouse materials are located.

Steve Broermann had no additional comments. Bob Tyler has tried to accommodate Highway concerns. There may be tree issues with the property owner to the north. Steve Broermann thinks they can taper from their radius to the property line. He does not believe they will need the entire 100 feet. The Parks Department might relocate or furnish new trees. Pavement to the north might not be that important.

Chuck Shupperd asked the petitioner to consider whether gas will be needed for heating.

Sharon Prater has recently flagged the northerly pipeline. She wants the easement boundary accurately identified on the drawings. It appears there will be a crushed stone path across the pipeline. The detention pond has been moved to the west to clear the easement. The plantings must be outside of the right of way. The trail will be part of the overall utility project. Jon Dobosiewicz wants to see this overall project at TAC again. The Parks Department needs to coordinate with Panhandle Eastern before the contractor starts dumping dirt.

Jim Blanchard stated a pre-submittal meeting is needed prior to the issuance of a building permit. A checklist of requirements is available.

Gary Hoyt has not written a letter. The building will not be sprinkled. The maximum height will be 20 feet. There will not be a basement. Mr. Hoyt requested a Knox box for the building.

Steve Cash wrote a letter to Bob Tyler. His calcs describe drainage to the southeast. That will still be the route. Towne Road was just an option. There is not much of a swale. Their reduced rate would not make it any worse. Pipe is an option if they choose. Mr. Cash wants to see that swale shown on the plans. Conversations have been held with the owners of house where the water flows. There are no history numbers of the water flow. Mr. Cash stated there are restrictions south of 116th Street. It will be necessary to go under the Irsay driveway. Bob Tyler might consider the entire site comprehensively. They are close to designing the utility plan. Swale information will be given to Steve Cash. He will speak with Sharon Prater about it. Panhandle Eastern has clearance requirements. There must be a minimum of 36 inches of cover from the top of the pipe to the bottom of swale. One detention area is a mound. The pond has been moved to the west.

Bill Akers needs to assign an address before permits are issued.

John South needs the final drainage and erosion control plan. Mr. Tyler would like to submit the overall plan. They need to maintain the drainage from the north property line. There is a ponding situation east of the trees. Farther east the swale will take the water from the north and route it through detention.

Phil Bennett is aware of a transportation grant from the County Highway Department that will pay for pathways near the intersection of 116th and Towne Road. Work will be coordinated with the grant.

Dean Groves stated the project is within IP&L territory.

Jon Dobosiewicz asked Mr. Tyler to get correspondence letters from the different agencies to him in order to build a file. This will help meet their pre-submittal requirements before they can obtain a permit.

Little Farms, lot 46 Primary Plat Amendment

The applicant seeks approval to replat a 2-lot residential subdivision. The site is located at 10401 Ethel Avenue.

Timothy Brewer gave an overview of the project and introduced his wife, Melanie. They wish to split their lot into two lots. There is a single-family home on the north side. A duplex is proposed for the new lot.

Steve Broermann, Chuck Shupperd, and Jim Blanchard had no comments.

Steve Cash stated there is a regulated drain in the area but he does not think it gets to this lot. He recommends an adequate outlet for the sump pump. The petitioner does not know where the storm sewer line is in relation to this site. It may be off Ethel Avenue.

Bill Akers understands the Browsers currently live on lot 46. They will need to contact Mr. Akers for another address.

John South had no comments.

Phil Bennett had questions about Monon Trail drainage. There is no problem now at this address. Vegetation has been planted. This yard is sloped.

Jon Dobosiewicz stated Laurence Lillig is currently writing a review letter. The public hearing for this case will be in May. Docket numbers will soon be assigned. Some of the comments will deal with right of way dimensions. On Winchester Place, there is a minimum 50 foot full-width right of way. They will need to dedicate five additional feet of right of way. Curb, gutter, and sidewalks should be addressed. There are no sidewalks near their property. The Browsers might need a waiver from requirements for all three.

Laurence Lillig gave the petitioners his comment letter.

Dean Groves told Mr. and Mrs. Brower they would need an application, with site plans, for power hook up.

Little Farms, Lot 26 (Primary Plat Amend, Subdivision Waiver, Secondary Plat)

The applicant seeks approval to replat a 2-lot residential subdivision. The site is located at 1205 East 105th Street. The site is zoned R-3/Residence.

Filed by Tim Stevens for Bruce and Dona Webster.

Tim Stevens presented the case. This lot is at the southeast of Combs and 105th Street. It is lot 26 of Little Farms Addition. The petitioner wishes to replat into two lots. The new lot will have frontage on Combs Avenue.

Steve Broermann did not receive a copy of the plat. There is a 25-foot half right of way on 105th Street and Combs Avenue that will need to be dedicated. They will also need a 15-foot drainage and utility easement behind the right of way. Mr. Stevens stated they requested a variance from that requirement. Currently, there is a 20-foot half right of way. In some other neighborhoods the half is only 15 feet. Relief is requested from that requirement. That will need approval by the Hamilton County Commissioners. In the past that requirement has been reduced, but the drainage and utility easement is still needed. The drainage in that area is not the best. That variance will have to be approved before the plat is pursued. The petitioner must contact the auditor's office to be placed on the Commissioners' agenda.

Chuck Shupperd, Sharon Prater, Jim Blanchard, and Gary Hoyt had no comments.

Steve Cash did not see a drain on the lot. One of his main considerations is whether an outlet will be needed. The house will be on sanitary sewer and water. A sump pump outlet will be needed if there will be a basement. Mr. Cash thinks the drain is one street over.

Bill Akers did not get plans. He requested a set. The petitioner should contact him for an address for this single family home.

John South and Phil Bennett had no comments.

Dean Groves requested plans. He will do site plans for service.

Laurence Lillig understands that Schneider is doing the engineering work and Tim Stevens is with Habitat for Humanity. A letter of consent is needed from the Websters. A more accurate survey of the site is required. As the lot exists, it is a pre-existing non-conforming entity. Variances may be needed for the house and accessory building. Standards require a minimum of a 20-foot half right of way. Another five feet need to be

dedicated. Mr. Stevens asked if an easement would be a possibility. The City engineer would prefer right of way. The area will be annexed. Mr. Lillig stated the right of way was needed for public projects and improvements and, therefore, must be done to City standards. The 30-foot right of way will not be sufficient. Carmel would like 40 feet. Tim Stevens believes there might be an encroachment with the garage. An accurate site plan is needed. Monuments and markers must be on the plans. The Subdivision Control Ordinance requires curbs, gutters, and sidewalks. The Plan Commission has preferred waivers with commitments to be performed at a later date. Mr. Lillig stated the work Habitat did on Lot 41 will serve as an example. Mr. Stevens said he is new to the Habitat Board. There are necessary easements that need to be behind the right of way line. The building lines must be shown as they affect existing structures. DOCS needs to see the R3 building lines. The current drawing should have a County Commissioners' certificate. A secondary plat is needed. Jon Dobosiewicz just received it. He will provide docket numbers. Tim Stevens inquired if a building line can be consistent with an average set back. The building line shown on the plat will have to be a minimum R3 distance. The Ordinance does allow for average set backs for the house. That may remove the need for a variance.

University High School (Site Development Plan)

The site is located at 2825 West 116th Street.

Filed by Eric Fisher of Odle McGuire & Shook.

Bill Wendling introduced Sandy Lange, University High School, Duane Sharrer, The Schneider Corporation, and Ben Rowllins and John Padgett, Odle McGuire & Shook. This is a review of the inter-project transition. A couple of buildings will be moved. Safety issues may be a concern to the Fire Department. The temporary buildings are located to the south of the existing large school building. They will be relocated and two more will be added for a total of seven modular schoolrooms. Plans are to expand. However, this addition must be done this year. Laurence Lillig does not think the project requires special use approval. But, he wanted it reviewed at TAC. The plans will be filed with the original special use file.

Steve Broermann believes the school is not changing uses or entrances. They are simply moving a modular building.

Chuck Shupperd has gas for the main building. But, the portable classrooms use electricity.

Sharon Prater did not receive a set of drawings. She requested one. She believes the modulares are far enough away from the pipelines and will not create a conflict.

Jim Blanchard verified that the walkways to the other two buildings would conform to ADA standards. Each building has two exists. They will have ADA ramps.

Gary Hoyt did not write a letter. He understands there will be one fire alarm system. There will be two new schoolrooms and two will be relocated. There should be a stamp certification inside the buildings that will be hooked up to the alarm system.

Steve Cash said this site is located in the watershed of the Spring Mill Run Drain. An outlet permit is required. Phase I approval was contingent upon installation of a detention pond when phase II or other improvement to the school site was presented. At this time, detention is required. At the south end of the area, there is a proposed detention area that was not installed. Traditionally, a detention facility is installed early in a project. Waivers were requested and approved to do the work with Phase II. Now it must be done. Greater detail of the drainage is needed. There is concern that water is backing up onto adjoining property. Mr. Cash may need to discuss improving the drainage. A subsurface drain was installed through the swale to the west property line. Mr. Cash wants further discussions and will write a letter. The petitioner would like to consider this work part of phase I. They would like to wait and decide on the detention pond. Steve Cash stated their proposed detention area is in a low spot, the best and most economical spot. He will still require detention now. Mr. Wendling proposed another meeting. They may need to table until next month.

Bill Akers had no comments

Phil Bennett believes the school will have increased enrollment. Currently they are 70 students. The school anticipates between 100 and 115 children next year.

Jon Dobosiewicz understands the petitioner worked with Laurence Lillig and that no additional special use approval is required. However, when permit approval is requested Carmel will need follow up from agencies. The matter of drainage must be resolved prior to permit time.

Jim Blanchard will need a pre-submittal meeting with the petitioner. A checklist of requirements will be provided.

Sharon Prater has no facilities involved with this project.

Carmax Auto Superstores (Primary & Secondary Plat)

The applicant seeks approval to plat a subdivision. The site is located at the northwest corner of East 96th Street and Gray Road. The site is zoned B-3/Business. Filed by E. Davis Coots of Coots Henke & Wheeler for Carmax.

Dave Coots submitted a site plan last month. He received the minutes from that meeting as well as comments from various TAC members. Mr. Coots has taken those comments and incorporated them into the new site plan. Procedurally, the site plan is in preparation for approval of a special use before the Board of Zoning Appeals and primary and secondary plats before the Plan Commission. No docket numbers have been assigned. It is the petitioner's intention to be heard at the May BZA. Nothing has changed on the

plan with the exception of more detail. They have submitted to Mike Howard but he has not yet forwarded it to the County Commissioners. Steve Broermann is not opposed to the agreement. Carmax will soon be on the Board of Public Works agenda. Also in attendance were: Doug Corey, Mid-States Engineering, Ned Sparkman, IDI, Tony Curp, Carmax, and Earl Smith, Pieper O'Brien Herr Architects.

Dick Hill thought this case might not be on the agenda today. However, he prepared a response to Mr. Coots' reply to their initial comment letter. The storm sewer is dedicated because it will be in the right of way. Some of the storm structure table does not match the structures on site. It appears drainage from the east/west access road is being forced out to Gray Road. At the entrance, there will be a vertical curve with an inlet. DNR approval has not yet been received. Mr. Hill stated some of the items requested in his original letter have not yet been provided. He needs the detail of the medium on 96th Street. Drainage calcs have not been received and street names are not identified.

Mike McBride will review the drainage calcs.

Jim Blanchard will need a pre-submittal meeting. He distributed their procedure outline.

Gary Hoyt did not write a letter. Jon Dobosiewicz does not know if this matter will be at TAC again; it depends on TAC members' response. The parking area will be enclosed with access points through gates. Fire trucks will be able to get through the 16-foot lanes. Trucks can get under the sign truss. The buildings will be sprinkled. Mr. Hoyt requested a Knox box. He requested a formal response to his comment letter.

Steve Cash sent a letter. No regulated drains are affected. He will defer to the City Engineer's office.

Bill Akers had no comments.

John South stated his comment letter dealt with details needed.

Dean Groves said the site would receive service from IP& L.

Laurence Lillig spoke to the petitioner about a revised lighting plan and a revision is underway. Jon Dobosiewicz will discuss the DP/ADLS aspect of this case. It might not be possible to get the spill levels down to below 0.3 at a few select locations. This is especially true to the west adjacent to O'Brien's dealership. The petitioner is considering a variance.

Jon Dobosiewicz anticipates the filing of primary and secondary plats for this project. Mr. Coots said those would be hand delivered tomorrow. Plans are not in place that show the correlation between the recommendations of the traffic report and the proposed improvements. Dick Hill has not received a copy of the traffic study. Mr. Coots stated Steve Fehribach delivered multiple copies of the traffic report to DOCS on April 8th for distribution to Plan Commission members. The report is dated April 4, 2002. Mr.

Dobosiewicz requested a full set of up-to-date drawings. The site is currently zoned B3 and would require DP/ADLS approval. There is a special use application on file. The Department of Community Services might ask the Board of Zoning Appeals to dismiss in favor of a DP/ADLS vs. a special use. A final determination has not been decided. Comments from Vectren Energy were given to Dave Coots. The information contained within the traffic study is quite detailed with several different scenarios. It does not tell what specifically is to be done. Mr. Coots responded to use the third scenario. It does not include up to 2012.

Laurence Lillig will issue docket numbers next week for the sign variances. The landscape variance plan has been delivered. The light poles are gray with yellow heads. Jon Dobosiewicz recommended a color other than yellow for the heads. He suggested something muted such as bronze or gray. The construction design is for a “signature” building. The amount of signage requested is great. Mr. Lillig believes the matter should be a DP/ADLS. He will not write BZA comments. The topic was discussed with the City Engineer early in the process. Mr. Coots said it was pointed out that the City Council was considering an amendment to the Ordinance. If Carmax filed prior to the amendment, they would be handled as a special use. This is the reason they have not converted the case into a Plan Commission matter. Mr. Coots thinks they are caught as a “change over”. He does not want to have an unnecessary time factor with a start over. The special use has been on file since March. Mr. Dobosiewicz asked Dave Coots to contact legal counsel, John Molitor, for a legal decision. The Department of Community Services believes a DP/ADLS to be the best course of action. Attorney Coots stated he was not trying to create a legal issue. Laurence Lillig confirmed that he would honor the SU filing date for the DP/ADLS. However, applications must be submitted soon. Carmax is on track for a May hearing of the primary plat for Plan Commission.

103rd Street Office Building (Building Addition and Site Construction Plans)

The site is located at 200 West 103rd Street. The site is zoned B-3/Business. Filed by Rich Kelly of EMH&T for Kite Construction.

Rich Kelly presented the case and introduced Jon Schelling, Kite Construction. This project was seen in a different form last December as a parking expansion without the building expansion. Due to tenant interest, there will be a second phase to expand the floor space. The project will consist of a 41,000 square foot additional wing. The parking lot will expand from 96 to 424 spaces and is consistent with requirements of zoning for medical office use. A new median cut in 103rd Street is proposed to allow full access into the curb cut there now.

Steve Broermann said the property is outside of his jurisdiction.

Mike McBride is concerned about the median cut on Illinois Street. In the original filing for this site, it was thought the median cut at the north section would be sufficient in the fully developed site. Mr. McBride does not think Engineering will look favorably at this.

Jim Blanchard will need a pre-submittal meeting for this project. He distributed a checklist of what will be required.

Gary Hoyt assumes the building will be sprinkled. The system has been designed to accommodate this expansion. Water is on the other side of the street. Mr. Hoyt might want a fire hydrant at the south entrance. He will look at the matter and write a letter.

Steve Cash stated there is no regulated drain affected by this project. He will defer to the City Engineer's office.

Bill Akers said the property already has an address.

John South believes Rich Kelly has received his letter. Their erosion control plan is satisfactory.

Dean Groves had no comment but asked the petitioner to call the Cinergy 800 phone number to request service.

Jon Dobosiewicz said Rich Kelly has addressed many of his comments. A couple of parking spaces will require a variance. They are existing and near the right of way. Jon Dobosiewicz says the DP process will require dedication of the right of way. Pursuant to improvement, they will have to remove spaces at their expense. The Thoroughfare Plan calls for a sidewalk on Illinois Street to be a 10-foot asphalt path. The sign is within the 60-foot half right of way. The fence on the adjoining property encroaches. Mr. Dobosiewicz asked what could be done about the noise of the AC units on the back of the of the building. Docket numbers and meeting dates have been given to the petitioner. Written comments will follow. Dedication of the right of way is pursuant to the Development Plan process. The City of Carmel might wish to dedicate depending on the foreseen need. There is a 30-foot section of pavement on both sides. It is not striped through there.

Laurence Lillig stated the signs and other improvements that might be located within or close to the right of way would need variances. Anything encroaching into the right of way will need either a developmental standard variances or Board of Public Works approval. Mr. Lillig will review the site plan. A height variance is filed based on the Department's recommendation. The variance may need to deal with a screen enclosure around the roof mechanicals. This small area will extend above the 35-foot height restriction. The existing screen will be extended. On the north wing, the existing wing, there is no screen on the rooftop. An eight-foot high screen will be added around the roof top equipment that extends to a height of 40 feet. Mr. Lillig will prepare comments for the petitioner.

Hamilton County Senior Services (Site Plan Review)

Petitioner requests technical review of proposed site improvements to accommodate a senior services facility. The is located at 1078 3rd Avenue South. The site is zoned I-1 /Industrial.

Filed by Jeffrey R. Bischoff of BSA Design for Hamilton County Senior Services, Inc.

Jeffrey Bischoff, BSA Design, represented this project for Hamilton County Senior Services. The site is located on 1.5 acres at 3rd Street SW and is zoned I/1. The existing building will be renovated to provide services for senior citizens such as: an exercise room, swimming pool, conference rooms, social events, and some recycling. The recycling will provide an income stream to support services. As architects and engineers, BSA has designed the renovation of the building. The pavement will be resealed and restriped. BSA has identified that this property will suit the needs of Hamilton County Senior citizens. Ramona Hancock, a member of the board, also attended.

Dick Hill and Mike McBride understand this was the old Custom Cast Stone site. Last summer they came to the Board of Public Works for entrance modifications. Mr. Hill requested a title sheet and site plan. The dimension of the Third Avenue right of way line is needed. The street and parking lot are not curbed. Laurence Lillig believes the petitioner does not propose any changes beyond stripping. Concrete will be installed for the recycling bins. Sheet C2.0 illustrates painted pavement markings. Mr. Bischoff explained they have tried to paint out islands and strips to use for car parking. There are three garage doors in the back and an area for recycling. There will be two spaces for semi trailer storage and two other spaces for slide out boxes. There will be minimal cutting to replace some of the asphalt with concrete. All else is painting and striping. Mr. Lillig stated that normally at the time of a change of use, curbs are installed. If the petitioner is unable to do that, they can file for a developmental standards variance for the curbs. Mr. Hill would like to see the flow of storm water on the plans. Entrance modifications might have taken care of some of that. If the lot is curbed, a storm drainage plan is required. The south and north property lines have swales. There is a pipe on the north property line. Mr. Bischoff does not foresee any additional run off. It has not been determined if the water and sanitary lines will be changed. A pool will be added to the building resulting in a need for greater water service. Mr. Bischoff is not sure how many people will use this on a daily basis. Mr. Hill stated the petitioner may be assessed a usage fee or hook up fee. Bonding will be required if work is done in the right of way. No Board of Public Works or safety approval is required.

Jim Blanchard requested a pre-submittal meeting with the petitioner. He distributed a commercial permitting procedures list.

Gary Hoyt has written a letter. This building has an existing sprinkler system. There is an open space behind the front office. The space will be partitioned. Some renovation will be done. Mr. Hoyt would like an exterior entrance if the sprinkler system is on an exterior wall. A Knox box is also needed. Gary Hoyt will write a letter this week. He requested a response in writing.

Steve Cash stated there is no significant impervious surface.

Bill Akers confirmed the senior citizens will be the only tenants.

John South wrote a letter. He had no other comments.

Phil Bennett has not seen the plans. This facility should be ADA accessible. There is a ramp at the front entrance; a new railing is needed.

Dean Groves was told a change in voltage is anticipated. A new service request and loading will be needed.

Laurence Lillig suggested contacting Scott Brewer in regard to landscape/buffer yard requirements. The spaces at the southeast corner of the site are not large enough. The Ordinance requires parking spaces to be 9' x 20' or 10' x 18'. Moving the bumpers closer to edge of the pavement would help the situation. A drive lane should be a minimum of 24 feet wide. The bumpers of the parking spaces located at the west property line should also be shifted. Or, the stripping could be extended farther east. A two-foot allowance for overhang is permitted. Mr. Lillig will calculate the number of spaces needed.

Sandy Steward, Hamilton County Senior Services, contacted Carmel Ice Skating. A letter from the owners of the adjoining parcel states a willingness to loan parking spaces during the day and on special occasions. A sidewalk from the Ice Center to the petitioner's facility will be installed from the parking lot to the entrance of their property. The sidewalk will go across the swale. There is a slight grade change; a ramp with hand rails might be necessary.

Laurence Lillig inquired about the existing masonry sign. The petitioner intends to reuse it in addition to a new wall sign. It is carved block. If used, a sign permit will be required. Additionally, a landscape plan will be needed for this ground sign. Since the property has frontage only on 3rd Avenue SW, a variance will be needed for a façade sign. If a sidewalk will be installed between the ice-skating property and the Senior's property, a pedestrian access easement would be wise. The Department of Community Services will need a copy of the document. Mr. Lillig suggested filing for any additional variances at one time. This will result in significant savings for Hamilton County Senior Services.

Tipton Road, LLC Office Complex (ADLS) (Construction Plans)

The site is located at 1220 AAA Way. The site is zoned B-8 / Business.
Filed by Paul G. Reis of The Reis Law Firm, LLC for Tipton Road, LLC.

Paul Reis presented the case. He introduced John Mosele, John Mosele Architect, and Dave Sexton, Schneider Engineering. Construction will be for a 3,600 square foot medical office. Mr. Reis has received comments from utilities.

Dick Hill and Mike McBride will write comment a letter. Board of Public Works approval will be needed. Dick Hill understands the building will 40' X 90' feet and classified as a storage facility. However, it is designed and parking is planned as if it was an office. The connection fees will run between \$6,000 to \$7,000. The cost is based on use not fixtures. The only bonding requirements regard a right of way permit. Pavement will be removed. The AAA Way right of way line is needed. The City usually asks for a connection rather than a "y" drainage pattern in the parking area with spot elevations and flow arrows. A drainage swale exists. It is important to keep landscaping out of the flow in the swale.

Jim Blanchard inquired about the use of the building. It will be used for stored medical records, some medical equipment, and a vehicle. There will be an oil separator. A pre-submittal meeting will be required.

Gary Hoyt will write a letter. The building will not be sprinkled. It will be a storage building. The vehicle stored will be a personal car. The height will be single story with a 25-foot maximum. There will be storage in the truss portion of the roof. No basement is planned. Mr. Hoyt requested a Knox box be used.

Steve Cash stated no County drains are affected.

Bill Akers will need to assign an address for the building.

John South sent a fax this morning. The erosion control plan looks fine. No NOI of required.

Dean Groves asked the petitioner to call Cinergy for a new service request. They will discuss location of service and power needs.

Jon Dobosiewicz gave information from Vectren. Scott Brewer was unable to attend the meeting. He will write comments for the petitioner. Additional shrubs might be needed along AAA Way. The setback is in conformance. The request for the proposed signs is included in the ADLS. A variance is needed to have both signs for each business. There will be one tenant in the northern building and potentially two in the south building. Mr. Dobosiewicz suggested getting Scott Brewer's comments on landscaping before the ADLS is heard in May. The Board of Zoning Appeals must hear additional signage requests. The Department might support one sign for each entrance, but not for two buildings.

St. Peter's Church, parking lot expansion (Development Plan Amendment)

The applicant seeks approval to expand their parking area and make site drainage modifications.

The site is located at 3106 East Carmel Drive. The site is zoned R-1/Residence.

Filed by David R. Barnes of Weihe Engineers for St. Peter's United Church of Christ.

David Barnes and Corrie Meyer presented the case. This is an application for two phases of a proposed parking lot located at the corner of Keystone Avenue and Carmel Drive. Plans have been distributed to TAC members; some responses have been received.

Tom Skolak had no comments.

Dick Hill will write comments. He inquired about the time line. The church addition will not be done for a couple of years. The parking lot will be done now. On sheet 2, the dark rectangle at northeast corner is a shed. Dave Barnes believes there will be a play area there too. The Keystone right of way lines should be labeled. The Carmel Drive right of way lines should be labeled and dimensions noted. The 20-year Thoroughfare Plan calls for a 40-foot right of way. This has not changed since the November 1999 Thoroughfare Plan. A 10-foot multi use path is required. Mr. Hill stated when the entrance is redone; the path should travel east to take pedestrians out to Keystone Avenue. There is a sidewalk on the east side that stops at the entrance. Laurence Lillig checked the half right of way. It is 45 feet. Jon Dobosiewicz asked the petitioner to depress the curb to accommodate the path but to not install the path to Keystone. There is no way to cross at this time. The path should be installed from the driveway east. The street on the south side of Carmel Drive needs to be identified. Corrie Meyer responded that trees do exist over the outlet pipe. A storm sewer is also there. If the storm sewer is removed, one small tree will be lost. Mr. Barnes stated the trees exist, but it will be set between the trees. On the original set of drawings on sheet 4 of the landscape plan, there are trees in the emergency spillway of the detention pond. Dave Barnes will check this. He needs to provide elevations of the concrete swale. The relocated Carmel Drive widths are needed along with traffic directional arrows. The opposing left lanes should be aligned. The standard length for collector street accel lanes is a 100 taper. The decel lane should be 100 feet with a 100-foot taper. The width for both is 12 feet. Mr. Hill requested a right of way pavement section for that part of the entrance. The standard is 1.5, 4, and 9 for collector streets. The Utility Department will decide if there is additional sewer and water. A commercial curb cut approval is needed for the relocated entrance. A temporary construction entrance plan is needed for the Board of Public Works. A consent to encroach agreement is required for any permanent improvement in the right of way. Bonding will be required. Dick Hill will write a follow up letter.

Gary Hoyt will write a letter. He understands the left turn lane of the church entrance will be moved directly across from left turn lane (Waterford Lane) of the subdivision.

Steve Cash stated no County drains are affected by this project. He will defer to the City Engineer.

Bill Akers had no comments.

John South wrote a letter. The erosion control plan can be improved with inlet protection. Mr. Barnes should call with questions. An updated plan was distributed.

Dean Groves has some major concerns. On sheet three, a detention pond is shown around a switchgear in the southwest corner. There is a power cable along the north side of East Carmel Drive. A potential problem exists if excavating is done there. The Cinergy mapping system was nonexistent when this was installed.

Jon Dobosiewicz understands Mr. Barnes will file the ADLS application soon. A lighting plan is needed. There is no maximum height requirement in the 431 Overlay. Mr. Lillig requested that poles not be taller than 24 feet and flat lenses screen the highway. The ADLS application will go to committee only. May 14th is the next meeting date. Mr. Barnes said he is able to file the application for landscaping and lighting. Laurence Lillig said Engineering would supply dedication forms. The property line runs down the center of the site. There are two parcels and two deeds. The church holds ownership of both. Laurence Lillig is concerned that setbacks are from the lot line. The petitioner should combine two tracts into a single parcel while they are dedicating the right of way. The deed search shows no access easement to the north. There is an existing ground sign at the corner of Keystone Avenue and Carmel Drive. The drainage proposed along Keystone seems to affect that sign. Mr. Lillig wants to know where it will be located and how will it affect the topo. Several existing trees will be affected. The site landscape plans seems to show that all trees will remain. Mr. Lillig needs to know how this will be accomplished. Scott Brewer will comment on landscaping in his letter.

AMLI @ Old Town (Development Plan)

The site is located at the southwest corner of West Main Street and 1st Avenue SW. The site is zoned C-2/Old Town.

Filed by Gregory Rasmussen of Weihe Engineers, Inc. for AMLI Residential.

Jim Thomas, AMLI Residential, presented plans Lot 1 in Carmel Redevelopment Old Town District. It will be known as AMLI at Old Town Carmel and will be a mixed-use retail and residential project. It comprises two different sites and two different ownerships. The northern site is at the southeast corner of Main Street and the Monon Greenway. Carmel Redevelopment Commission owns it. The southern half of the site is across the street to the south and east of the public access parking for the Monon Greenway. It is currently the site of the old Lumber Yard Mall that will be demolished in a month or two. This is an integrated project with the Carmel Redevelopment Commission. Greg Rasmussen, Weihe Engineering, and Dennis French, the project manager, were introduced. Mr. French also is the manager of AMLI at Carmel Center. Greg Rasmussen sent plans to TAC members. He invited comments.

Tom Skolak will discuss addresses for the project with the petitioner. The project is shaped like a giant question mark. The area along Main Street is retail. The corner of Main Street and the Monon Greenway is retail and extends 100 feet down the Monon Greenway. The balance of the question mark, on the ground floor, is all residential. The second and third floors of all buildings are residential. There is a mid block connector on Main Street which is a means to connect the publicly available parking behind it to Main Street.

Kelli Laurence had no comments.

Dick Hill has not written a review letter yet. He will have comments regarding drainage issues later. A letter is needed from AMLI stating usage for the one, two, and three bedroom townhouses for sewer availability. Jim Thomas will provide that. There are also Board of Public Works requirements for this project. Bonding will be just like AMLI at City Center for the water and sewer lines. There might be right of way permitting required. Mr. Thomas thinks Second Avenue SW between Main and First Street has been vacated. It will be done as part of the closing. CRC has committed to make application to the City to clean up the legal description, get rid of odd five-foot offsets, etc. Mr. Hill requested a mileage report of dedicated streets for the state. He needs to know of any vacations. First Street SW, between the Monon Greenway and First Avenue SW, will remain a dedicated street. Second Avenue, south of First Street, will also remain a dedicated street. Dick Hill commented that it would be helpful to label existing right of way lines and dimensions. On Sheet C2 #3 City of Carmel Standards, the Monon Greenway parking area should be identified. The area between the decorative walk and curb on West Main Street is hard surface. North American Construction will take the existing curb cuts and replace them with brick pavers by the end of April or mid May. Drainage calcs should be sent to Kate Weese. Mr. Hill feels the water plan is confusing. There seems to be no connectivity between the north and south half. Greg Rasmussen responded they are bringing a line in off First Avenue SW. Mr. Hill said it looks like segments of pipe. It should become clearer. The line will stub; there will be two separate taps. There will eventually be plan and profile sheets for the sanitary. Engineering will write a comment letter. The façade along Main Street will be at the right of way. Jim Thomas will need a temporary encroachment permit. The sidewalk will be closed to keep a safe access around the building area.

Bill Akers understands the ground floor property along Main Street is all retail. The second and third floors are residential. Along the Monon Greenway the property is also all residential. There will be a maximum of twelve tenant spaces and maybe as few as eight spaces. Residential spaces total nine units. Stairs in the middle of the townhome units cause the odd configuration. The units without stairs are flats. The Townhomes have entrances in front and back. The units without stairs are rear loaded only.

Gary Hoyt has not written a letter. The buildings are sprinkled. They are three stories high with no basements. A Knox box is requested for the commercial area. On Second Avenue SW, the northern units are flats and the southern half are townhomes on floor one and two. There are flats on floor three. The existing fire hydrants are marked "TBM" -

temporary benchmark. Gary Hoyt will provide turning radius and lengths of the Fire Department trucks. They cannot turn a ladder truck at the Old Lumber Mall intersection. Mr. Hoyt wants another ingress at Second Avenue. The parcel at the south borderline is owned by Reeder – Kline. Gary Hoyt suggested buying that piece of property to line up it up with Second Street SW. Jim Thomas stated the southeastern corner of the property connects into Carmel Water Treatment. Residents drive through there. Mr. Hoyt suggested making that an emergency access for the Fire Department. Mr. Thomas expects buyers to be young and contemporary. A meeting is needed to discuss the location of hook ups to the sprinkler systems. The business locations will call for a 2.5-inch connection.

Steve Cash stated non-enforcement was approved last week regarding easements and regulated drain. An outlet permit has not been filed.

John South wrote a letter. His comments would improve the erosion control plan. All building construction will be done at one time. A one-year time frame is expected. CRC is doing the site work; North American is doing the demolition. Temporary seeding and inlet protection should be done. The property drains to the east. There is one inlet with a depression.

Dean Groves' major concern is about relocating facilities. He has met with Kate Weese. There is a switchgear at the south side of the north property. They will take a 15' X 15' area. Kate Weese knows this. CRC says there is nothing on the site. The overhead line is coming out. To provide power there has to be a switchgear, transformers, and easements. It is strictly for service to AMLI. Jim Thomas believes their own transformers can be accommodated between the parking and the back of the retail building. AMLI will pick up its own power requirements. But in regard to larger infrastructure items, AMLI is not burdened with off site facilities. The normal transformers and residential meters are okay. But, the poles should be removed. AMLI will accommodate equipment to service their buildings. Mr. Groves stated he must have a switchgear located on the south side of the property. From that Cinergy can take feeders off to serve the project. Jim Thomas stated they must move one of the garages or lose a bay for parking. That seems to be the likely place for it. The parallel parking provides a challenge. A typical switchgear is a good size. Mr. Thomas inquired if it could be placed near the curbside triangle. He wants to maintain the L-shape movement. Jim Thomas assumes the meters, transformers, and light poles will be at the area south of the shops. CRC wants to encourage restaurant uses. There are big spaces at either end being designed with grease traps and three phase. Mr. Groves says a three phase and single phase cannot both be provided for one building. He does not want service all over. He desires it at one location. Greg Rasmussen thought there would be transformers throughout the parking areas; he knows they must be accommodated. A separate meeting was suggested. Mr. Groves would like to group the meters together.

Jon Dobosiewicz stated Scott Brewer would look at the landscape plans. There will be some plantings along the perimeter of the parking lot and in the islands. Mr. Dobosiewicz would like a hedgerow along the edge of the parking lot. Revised plans

should be directed to Scott Brewer. At the south end of property, the sidewalk terminates at the last unit. Greg Rasmussen agreed to pull that up to the street. Mr. Rasmussen said the street is wider than the right of way. It will swing back down into the area to the south. The dimension for access for Second Street SW to First Street is about 15 feet. Mr. Dobosiewicz inquired if the right of way exists. To maintain access, it might be possible to make the street wider. Mr. Dobosiewicz suggested turning the drive aisle that is in the parking lot along the Monon Greenway into south bound and the other north bound. It might be a split median with reconfigured parking lot. The radius must be kept adequate at the corner. First Avenue is 28 or 30 feet wide. Jon Dobosiewicz believes it beneficial to clean this up and put the sidewalk into the right of way. He wants that on the south side as well but thinks it looks narrow. The SW corner of Main Street and First Avenue has a decorative walk. Stairs might be on the outside of the right of way. There is a four-foot drop off from the Monon Greenway. There should be a smooth transition. The challenge has been to keep ADA access. The radius of the curve must be widened at the island near the center of the parking lot. Typically, a parking space is 9' X 20' or 10' X 18'. Greg Rasmussen said plans have been revised. Four spaces are required per thousand square feet of retail. "Resident Only" parking will be in the south lot. The north lot will have some reserved parking spots. Some type of protection at the corners of the garages is suggested. Mr. Dobosiewicz wants additional conversation with Kate Weese to determine: how it becomes north/south, the dimension of First Street SW, whether rights of way can be pulled out to the backside of the sidewalks or to the base of the buildings to allow greater right of way, etc. The walks are four and five feet wide. The closing for the north parcel will occur on Friday. Jon Dobosiewicz wants to avoid any confusion regarding sidewalk maintenance. An agreement in writing concerning sidewalks was suggested by him. The breezeway on the first level is open on both sides to pedestrians. There are units on the second and third floors.

Martin Marietta Materials (UV 23-02; SU 24-02; SU 25-02; V-26-02, V-27-02)

The applicant seeks Use Variance approval to establish a sand and gravel processing operation on property located on the northeast corner of East 106th Street and Hazel Dell Parkway. Applicant also seeks Special Use and Developmental Standards Variance approval in order to establish a sand and gravel extraction operation and an artificial lake on property located on the northwest corner of East 106th Street and Hazel Dell Parkway. The sites are both zoned S-1/Residence - Low Density. Filed by Tom Engle of Barnes & Thornburg for Martin Marietta Materials.

David Warshauer presented the case on behalf of Martin Marietta. Also in attendance were Max Williams and Dan Hoskons, Martin Marietta, and Tom Engle, Barnes & Thornburg. Three petitions have been filed all dealing basically with the same matter. A special use petitioner was submitted for a sand and gravel extraction operation north of 106th Street and South of Kingswood Subdivision. A development standards variance request has been filed to reduce the buffer from 300 feet to 150 feet from the sand and gravel operations. A use variance has been submitted to move the existing processing plant from the west side of Hazel Dell to the east side. Extraction will be done by means

of a floating dredge. It is a process by which overburden, that is not aggregate quality, will be removed by earth moving equipment. The mining plan will start in the existing lake on the Martin Marietta property and go into the newer property moving in an east to west direction. After meeting with the City consultant last week, Martin Marietta has agreed to provide a temporary landscape berm from a point 50 feet south of the south line of Kingswood Subdivision. The idea is to construct a temporary 3 to 2 slope berm with a black, chain link fence. The eight-foot berm will be seeded. The 50-foot buffer will be landscaped per Carmel's perimeter buffer yard ordinance. There will be substantial plantings. A landscape plan is being prepared. Martin Marietta anticipates a time period of 15 years to complete the sand and gravel extraction. At the end of the activity, there will be a lake on the property with anticipated low pool elevation of 720 feet deep. This is based on other mining operations south of 106th Street and on anticipated City of Carmel well field production. The lake banks will be graded at a 3 to 1 slope beginning at a point 50 feet south of the south line of Kingswood. At the end of the mining, the temporary berm would be removed. A gradual slope would begin down to the lake. Martin Marietta will also construct a permanent berm on 106th Street after obtaining a half right of way. The petitioner proposed a number of commitments regarding operation. Some of those are set forth in the mining and reclamation land use plan. Others are included in various petitions. They will all be reduced to a form to be recorded. Tom Engle, Barnes & Thornburg, stated these applications have nothing to do with underground mining or blasting. This involves only surface extraction. Moving the processing plant is contingent upon being able to mine the north property by May 1st. If they cannot, Martin Marietta will proceed with mining on the east side of Hazel Dell. The idea is to move the processing plant farther from Kingswood Subdivision and closer to Martin Marietta's other operations. It will be screened and have noise reduction services. The plant has been there for a number of years. There have been no complaints. The dredging operation is quiet and the motor is enclosed. In Noblesville, Martin Marietta has been permitted to dredge lake as means of creating another subdivision lake. There have been no problems and the developer has no concerns.

Kelli Laurence had no comments.

Steve Cash understands that when operations are completed the lake will be accessible to adjacent landowners. There will not be public access to the lake. The adjoining property owners in Kingswood will be able to purchase the portion of land between their existing lot to the lake's edge. The County will require the construction of a safety ledge below the surface of the normal pool. It should be 18 to 24 feet deep and 10 feet wide. This cuts down on liability. Mr. Cash stated it is very hard to walk on a wet 3 to 1 slope. He recommends a safety ledge. There are three different styles. Mr. Cash will provide a schematic to Martin Marietta and the Department of Community Services.

John South has not written a letter. This is not a typical project. Potentially, there is a 20-foot elevation level difference. The 3 to 1 slope is a healthy incline. Technically, it can be mowed but if wet it is treacherous. It is certainly stable. But Mr. South questions whether it is entirely appropriate for a residential area. He feels a 4 to 1 slope would be better. The 20-foot elevation difference creates a long, steep slope. He agrees on the

need for a safety ledge next to a residential area. There is a need for transition. He is concerned with the angle of repose. In most pits, the edge is straight down. Mr. South questioned whether it would be stable in the long run. He suggests continuing the 3 to 1 or 4 to 1 slope out to a point where it is five feet deep. If a person is in the water, they are close to being over their head and needing to swim. Mr. South is appreciative of this process. Some of the other pits north of 116th Street were mined out and left in sad shape. This is a good opportunity to plan a good, safe situation for residential use. If Martin Marietta planned to fence, mine, and leave it that way, his comments might be different. But this situation needs to be safe and long-term stable.

Only one side has a residential access. David Warshauer asked if Mr. South had a different view of other banks in terms of the slopes. Mr. South thinks the existing park along the west side is fenced already. His gut reaction might be that there could be two different standards--residential and other standards. But Mr. South feels a safety ledge all around is the best practice. Mr. Warshauer will take this suggestion under advisement. Mr. South continued that one consideration is the 50-foot flat area beyond Kingswood property owners. There is no reason for it to be totally flat. A slope of 8 to 1 is acceptable for backyard use. David Warshauer wants to discuss this in regard to landscaping. The buffer is 25 feet; Martin Marietta proposes 50 feet. Mr. South stated the plan proposed matches up with their narrative. Greater detail regarding the reclamation plan has been submitted to the City's consultants. There is some discussion about dust control. The overburden removal will proceed as necessary to construct the temporary berm. It would proceed no more than two mining seasons in advance. The parcel will not be left as fallow ground. Some consideration should be given to farming, putting in grass, or stabilizing in some fashion. The mounding will be done all at once. The purpose of the berm along Kingswood is to provide an immediate noise and visual barrier for the subdivision. Some specifications for seeding must be included in the narrative. There might be some small revisions to the plan. The water is useable by the Carmel City Water Department. David Warshauer will work with Carmel Utilities. Mr. South will write a comment letter.

Laurence Lillig was told trucks and heavy equipment will have access from the existing entrance. The breaks in the berm on 106th Street are for surface drainage. If it is staged, there may be surface drainage needs. That note should be added to the next update of plans. There will not be an entrance on 106th Street. Trucks will go south to 96th Street. There are no posted weight limits. Between Gray Road and Hazel Dell, 106th Street is a county road. It will be a City street effective February 2003. After reviewing the site, the Department might ask that the berm be extended a little to the south. Mr. Lillig is not sure but he wants to look at it. His concern is for the homeowners to the northwest. The petitioner will need to speak with Scott Brewer about the landscaping. The Department of Community Services will ask that BZA approval be contingent with acceptance by Scott Brewer of their landscape plan. There is an existing tree stand the petitioner will want Mr. Brewer to take into account. Mr. Lillig wants Martin Marietta to consider Mr. Cash and Mr. South's comments on the slopes. They need to balance those interests while addressing the issues of fence and berm. Laurence Lillig received a revised copy of commitments today. The only change was the language regarding the land

availability. It was added again. The homeowners did not think it should be part of the settlement agreement. There will be a public hearing on both projects on Monday, April 22nd. The right of way for East 106th Street will be worked out with the Mueller trust. This will occur when zoning approval has been secured. The Gray Road right of way and the 500 to 600 foot wooded segment, can be accommodated also. It will be through the Board of Public Works and Engineering. Laurence Lillig will check the Thoroughfare Plan and confirm it. Dedication will be to the County at this time. The City does have the right of way that extends 400 – 500 feet as part of the Hazel Dell project. The petitioner will consider what is the best way to handle slopes.

Laurence Lillig discussed Tom Yedlick's comments.

The petitioner should be prepared to address noise generated by this operation at the public hearing. The temporary berm was the consultant's recommendation to limit the possible noise of the dredge. Trucks will use flashing strobes instead of noise for backing up. The hours of for overburden removal will be between one half hour after sunrise and one half hour before sunset.

Regarding the noise abatement of the processing plant, Mr. Warshauer commented that moving the processing plant to the east side is an accommodation for the property owners on the east side of Kingswood. It will cost Martin Marietta millions of dollars to accomplish. Moving farther away will improve the noise problem. The petitioner will use a rubber/urethane screen cloth to construct a shield facing Kingswood Subdivision. The noise abatement should have a positive effect. Martin Marietta will commit to retaining the tree buffer.

Mr. Yedlick asked if Spectra consultants made any recommendation regarding noise abatement. Spectra consultants recommended constructing an 8-foot berm with a 3 to 2 slope beginning 50 feet from the Kingswood line. A berm was not originally proposed. But, this was the desire of the Kingswood residents. Spectra recommended the construction for noise abatement and as a visual barrier.

Lillig inquired about the mining plan in regard to wastewater recovery. The term might be "water" as used to convey materials. In the processing plant, the sand and gravel is dewatered. That water will flow into lake on the east side of Hazel Dell. In order not to raise the water level in the plant site, a pump located in the east lake will return the water back to the west. There is nothing coming back to site that was not there before. Most of the solids are being extracted. The pump is used to maintain elevations of both lakes. There is a settling pond. The pump is located at the far end. John South stated there needs to be a system to cleanse the water. This is a typical operation and will be used on this site.

Mr. Yedlick asked for a commitment that sand and gravel extraction north of 106th Street be complete before starting on the south side of 106th Street. Mr. Warshauer has received different plans suggested by different people. The mining sequence map delineated it in phases with arrows to show direction. Mining will begin at the Mueller property and the

Martin Marietta property. Activity will move along the north half of Kingswood first. Questions 5, 6, and 7 all deal with sequence. Mr. Warshauer stated the idea is to move and do the area along Kingswood first. It will move back to the east side and then to the west. Preference seems to depend on where a resident lives in Kingswood. Each individual has a different idea. The plan is to be closest to Kingswood first. Presence of a berm makes it less of an issue. There will be a consistent view across the south line of Kingswood. That is the plan Martin Marietta proposed. The phasing plan answers number 5. Whether it is satisfactory, is another question. Max Williams stated Martin Marietta was not prepared to answer 6. and 7. David Warshauer stated they are not asking for any approval to do anything south of 106th Street. On the north of side of 106th Street, much has to do with efficiency. He stated Mr. Ledlick's concerns are valid. Martin Marietta wants to create a consistent visual and noise barrier throughout the life of the operation. That would render the exact sequence less important.

Storm water pollution prevention plan and reclamation sequence were discussed. John South understands that Max Williams will provide an erosion control plan. Storm water discharged from the site is subject to Rule 6. IDEM monitors this rule. Martin Marietta is responsible for water sample tests. Typically in this type of operation there is very little water discharged. Dan Hoskons stated all affected areas are inside the project. A lot of runoff is not seen. Mr. Warshauer said their plan is dictated by rules of the state and federal law.

Regarding the use and maintenance of Mueller property, the plan is to farm the land.

The Department of Community Services will ask that the urban forester approve the landscape plan. Mr. Ledlick asked that the plan be acceptable to a majority of Kingswood property owners. Mr. Lillig stated the Department would prefer that approval remain with the City. This would be an approval process through the Board of Zoning Appeals and not in the hands of the homeowners association. It is a City responsibility. John South understands the berm and fence would be removed after the mining is completed. It would revert back. The Kingswood owners have expressed a desire to have a lake view. John South and Steve Cash commented on the underwater shelf. Mr. Cash will provide detail. Specifics of the landscape will need to be discussed with the urban forester.

Written commitment to the site plan and other matters was requested by March 14, 2002. David Warshauer was not there that night. The remaining items were discussed in the settlement agreement. They deal with litigation.

David Warshauer does not necessarily see the landscape easement as a major problem. However, Martin Marietta would prefer to own or not own the adjoining piece of property, rather than own some, not own others, and own some subject to someone else's rights. Therefore, he cannot say if the petitioner would agree to that.

In regard to commitments, Martin Marietta will conform to DOCS' requests. As to the future contingencies, Mr. Warshauer does not know what those would be. They are

committed to concurrent reclamation. The type of reclamation is the creation of the slopes and the lake. It is occurring as part of the mining process. He does not know how to phrase that any differently.

As part of the litigation settlement, Martin Marietta will pay the City to enforce commitments and a sum of money to Kingswood for other purposes. He believes the City is the appropriate body to enforce commitments.

Kelli Hahn had no comments.

The meeting adjourned at 5:49 p.m.